

November 25, 2019

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Mr. Dickson, Mrs. Diglio, Deputy Mayor Flynn, Mr. Schlaffer, Mayor Le Frois, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney was also present.

Mayor Le Frois then made the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on January 4, 2019."

Mayor Le Frois led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mrs. Diglio, seconded by Mr. Dickson and unanimously carried, the minutes for the November 13, 2019 Regular and Executive Session meetings were approved.

OPEN TO THE PUBLIC

At this time, Mayor Le Frois read the following statement:

"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 5 minutes. The Municipal Clerk will keep time. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes. Council may choose to comment after the entire public portion has concluded."

James Hoffman, 37 Douma Drive, read from a prepared statement:

"A month ago, I came to you with concerns and questions - none of which have been addressed - and now appear to have been ignored as I see there is a resolution to extend Mr. Russo's contract until 2023 on the CONSENT agenda. You know the townspeople have concerns, have brought their concerns to you, but you don't allow for public comment before agreeing to another 4 year contract and a raise?

Newton townspeople and employees are concerned about Mr. Russo's attendance and availability. Our tax dollars already pay Mr. Russo more money than other managers of larger towns.

Warwick, NY - a town of 7,500 - pays their manager \$65,000. Every storefront is filled

Boonton, NJ - on the train line to NYC - population 8,354 - pays their administrator \$150K

Hackettstown NJ, a college town on a train line with a population of 9,724 pays their Chief Financial Officer/Mayor in the \$65-95K range

Byram NJ - population of 7,983 pays their township manager \$122,314.

Randolph, NJ - population of 25,954 pays their township manager \$168,000

Morristown, NJ - the county seat of Morris County with a population of 19,037 - pays their Business Administrator \$178K

Denville, NJ - also on the train line with a population of 16,635 pays their Town Business Administrator \$112,700

Hopatcong, NJ - population of 15,147 pays their \$129,250

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Mr. Russo's hometown, Bernards Township with a population of 27,061 pays their Administrator, Pat Monaco \$164,000.

Why does Mr. Russo make more than \$159,000 in Sussex County?

Newton has a population of 7,960 and we pay him much more than other comparable towns in the area and nearly as much as managers and administrators of towns 3 and 4 times the size of Newton.

Mr. Russo's \$159,000 is just a base salary. In addition to that, we give him a car with carte blanche driving, fuel, and repair privileges; flexible hours; whatever "coaching" he's been getting at our expense, and permission to be the CEO of his own consulting company? Why??

What is the council's justification for ignoring all of this?

Why pay Tom Russo well above the going rate for town management?

Why do we pay for his car and unlimited gas and mileage?

Why is he permitted to have flexible hours? People are expected to report to work each day. I'm sure you do or you wouldn't get paid.

Why is he permitted to have his own consulting company? And why have we made payments to someone who works for the same firm?

What are these coaching fees that we - you council members as well - have paid for? Did his performance review include his handling of the pool this past year? the over-budget fire house?

Why have you not explored other candidates who live within the area? The county at least?

Taxpayers might be okay with Mr. Russo's salary if:

- He sat in his office five days a week and put in his time in the community as he should.
- If all of the Spring Street storefronts were completely filled with thriving businesses.
- If he lived in Newton.
- If he paid taxes here.
- If he shopped here.
- He has no skin in the game!

We voted for you to represent the Town of Newton and its taxpayers - us.

Please answer our questions before committing to another contract for Mr. Russo. Thank you."

Margaret Baldini, 5 Barry Lane, read from a prepared statement:

"As Mr. Russo's contract is due to expire at the end of this year, many people of Newton have concerns that may concern you as well. As our elected representatives I urge you to consult and poll your constituents before entering into another multi-year deal with Mr. Russo.

According to an interview (published May 31, 2019), with BeYourGPS, (AKA Become Your Greatest Possible Self), a weekly Facebook live-stream video and podcast which "interviews leaders and influencers", Mr. Russo has a second, third, fourth, and fifth job on top of the one he has here. If not a conflict of interest, there certainly appears to be a conflict of time.

The link to this interview follows:

<https://www.youtube.com/watch?v=Thki91KBm4o&t=1s>

He is an adjunct professor at Seton Hall University and Pillar College.

He is the author of a book published earlier this year.

He is reportedly an editor of some sort.

He is an empowerment speaker and coach.

On top of all that, he is the CEO and founding member of the Valori Group – a securities consultant firm serving other municipalities in New Jersey for what appears to be the last three years. A copy of his business profile can be found below:

Valori Group: <https://thevalorisecuritygroup.com/meet-our-team/thomas-russo/>

As part of this career with Valori, Mr. Russo offers expert services in the areas of leadership training and development, executive coaching and consulting, public information officer training, public relations training, recruitment of business managers and administrators, town managers, public information officers, fundraising and strategic planning, project planning and oversight, as well as economic revitalization and redevelopment.

His last contract affords him \$159K plus annual bonuses and vacation/sick time buy backs, PLUS TWENTY vacation days each year. In addition to the compensation package, Mr. Russo enjoys other benefits. The Town pays for multiple professional memberships and conferences associated with his profession here in Newton. His contract affords him membership in the International City/Council Management Association (ICMA) and the NJ Municipal Management Association (NJMMA). The Town also allows Mr. Russo to attend the ICMA Conference, the NJMMA Conference as well as the NJ State League of Municipalities Conference. According to his last contract, the Town has agreed to pay for his travel, hotel, and registration fees.

Do these memberships and conferences solely help the Town of Newton and its Town Manager or could they also benefit Mr. Russo's consulting firm?

Did the Council know of Mr. Russo's other commitments when you agreed to his 2017 contract as it does not include normal attendance expectations? Instead, his contract states "The Town Manager does not have set hours of work, but he is expected to be available during the normal municipal office business hours And endeavor to make himself available... via cellular phone and/or email." Did any prior managers enjoy such a flexible schedule or offer?

Another provision of Mr. Russo's 2017 contract grants him a commuter vehicle "for in-state and primarily work-related purposes, without mileage restrictions." contract does not restrict him from using the vehicle for non-Newton work purposes. The TOWN also agreed to pay for the maintenance, fuel, insurance, and registration of this vehicle. We also pay \$144 a year for his AAA membership.

As some of you agreed to this 2017 contract, can you shed light on this agreement? Is Mr. Russo's vehicle to be used exclusively for his work with the Town of Newton OR is he permitted to use it for his other "in-state" jobs outlined above? As mileage is not restricted according to the contract, is there any accounting for mileage and gas use for his other professional work?

Prior to contract negotiations or a performance appraisal, does the Council receive a copy of Mr. Russo's billable hours for the Valori Group? How many hours does Mr. Russo work as Newton's Town Manager compared to CEO and consultant for Valori?

Does Valori Group have a relationship with any of the consultants Newton uses?

What are the Council's plans in regard to Mr. Russo's contract?

For purposes of comparison and to highlight the generous package Mr. Russo already has, a sampling of other town managers/administrators in the tri-county area follows:

Boonton, NJ Administrator - population 8,354 - \$150K
Hackettstown, NJ CFO/Mayor – population 9,724 - \$65-95K range
Morristown, NJ Business Administrator – population 19,037 – \$178K
Denville, NJ Business Administrator – population 16,635 – \$112,700
Hopatcong, NJ Business Administrator – population 15,147 - \$129,250

Over several months of expense reports, thousands of dollars have been paid to "coaches" Dani Rocco, Diane Lang, Kristen Hornbeck (of Bangor, Maine???) , and Dr.

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Lori Shemek (nutrition expert???) for "executive coaching" and "coaching" for the town manager. According to his Valori profile, Mr. Russo offers "executive coaching" to other professionals himself.

Can you shed some light on this? Attached is a spreadsheet showing over 8000 dollars in coaching over the last 20 months. What are these expenses and why is the Town of Newton paying for them?

Payments to Diane Lang are of particular concern as she is now a Valori consultant herself. Maybe she joined Valori after coaching Mr. Russo this summer? Links to these coaches can be accessed below.

<https://www.danirocco.com/coaching>
<https://thevalorisecuritygroup.com/meet-our-team/diane-lang/>
<https://drlorishemek.com/>

In this same sampling of expense reports, it's found that several payments, including those for executive coaching, are either duplicate or split between the town's Current Fund account and the Water/Sewer Authority account. See the attached spreadsheet. Can you explain the rationale for this?

Finally, the Council is always looking for ways to support local businesses. Can you explain why we give our paint business to Sherwin-Williams in Hampton instead of the Paint Spot down the street here in Newton? In these same reports, you can see we have paid thousands of dollars to Sherwin-Williams for paint. Maybe this money should stay local?"

There being no one else from the public to be heard, Mayor Le Frois closed the meeting to the public.

COUNCIL & MANAGER REPORTS

a. Mayor Le Frois – On 11/14, Mayor Le Frois attended the SCCC Foundation "Funding their Future Event". Earlier that same day, Newton hosted a Meet and Greet at Town Hall for the community. On 11/15, Governor Codey was present at Town Hall to present the Town Council with "Stigma Free Signs" to place throughout the Town of Newton. On 11/16, she attended the 28th annual C. Edward McCracken "Festival of Lights" event at Newton Medical Center followed by a firework display. She, along with several department heads, attended the New Jersey League of Municipality Conference and attended several informative seminars. She noted the passing of Dominick "DJ" Romano, owner of Ronetco Shop Rite. She shared a letter she received from the Governor's office, Dept. of Corrections, noting the municipal detention facility was inspected and approved by the State of New Jersey and congratulated all on their efforts. Wishing everyone a Safe & Happy Thanksgiving.

b. Deputy Mayor Flynn – He also attended the New Jersey State League of Municipalities Conference for the Town and for his business. He attended the Resolution Committee Hearing and Resolutions were passed but two. He noted he co-sponsored a Resolution which would allow County Seats to obtain additional liquor licenses in order to spur economic development. He wished everyone a Happy Thanksgiving.

c. **Councilwoman Diglio** – On 11/14, she attended a Meet and Greet at Town Hall. She attended the “Festival of Lights” at Newton Medical Center. Nov. 19-21, Mrs. Diglio attended the NJ State League of Municipalities Conference. She attended seminars and visited several vendors at convention hall. On 11/24, attended the 250th Anniversary celebration at Christ Episcopal Church. It is the oldest church and traces its origin to 12/29/1769. Mrs. Diglio reminded everyone of the Holiday Parade will be held on Saturday, November 30th on Spring Street and outlined all of the events during and after the parade.

d. **Councilman Schlaffer** – He noted this Saturday is “Small Business Saturday” and encouraged all residents to shop in Town to support the local businesses in Town.

e. **Councilman Dickson** – “I want to thank the GNCC and all the town staff for putting together the meet and greet on the 14th. It was a good chance to be able to provide information and answer questions about the town. On Friday Nov 15th Governor Codey was here in Newton to present the town with our stigma free signs on behalf of The Codey Fund for Mental Health. These signs will be proudly displayed in hopes of furthering the conversation on mental health and breaking stigmas. I want to thank my fellow council members and Mr. Russo for recognizing the importance of this initiative and supporting it when I brought it to the council. Tomorrow night is the BOE meeting, 7pm at the board office.”

f. **Town Manager Russo** – Advised Town Hall is closing at 2:30pm on Wednesday, November 27th. Town Hall is closed on Thursday and Friday for the Thanksgiving Holiday. Wished everyone a Happy Thanksgiving and hopes to see everyone at the Holiday Parade on Saturday, November 30th at 10am. Town Hall Tree Lighting is Friday, December 6th at 5:30pm.

Thanked Mr. Hoffman and Ms. Baldini for their comments. He admires Mr. Hoffman for his mentoring of the kids at Newton High School as well as for his work with the Robotics and STEM programs. He invited Mr. Hoffman to shadow him for a day to understand his position as Town Manager. Mr. Russo made several comments to correct some of the statements made by the public. He indicated he no longer is involved in The Valori Group and never did business with them and the municipal vehicle will be turned in on Saturday and will be used for Town employees. Mr. Russo feels there is misrepresentation of his work attendance and noted he is at work daily and is always accessible to the Governing Body. He indicated he retrieves messages all

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hours of the day and night, including weekends and holidays. Mr. Russo showed a brief news video from two years ago, when the Town of Newton had a major 16" water main break on Thanksgiving Day while his wife, Trish, was in the car all day. With emotion, Mr. Russo continued with his comments, outlining some of his personal challenges. He outlined his current teaching opportunities which, at Seton Hall University & Pillar College, are expressions of his religious faith as a Born Again Christian. He feels you cannot compare other administrators to the work of a Town Manager CEO position. Mr. Russo also defended the municipal pool issues as well as the additional cost of the firehouse.

Mayor Le Frois commended Mr. Russo for his comments and noted the Council supports you as the Town Manager.

PRESENTATION

At this time, the Newton Office of Emergency Management team presented a PowerPoint Presentation to the Governing Body.

TOWN OF NEWTON OFFICE OF EMERGENCY MANAGEMENT

Emergency Management Staff



Ken Teets, Municipal Coordinator



Dan Finkle, Deputy Coordinator



Jason Miller, Deputy Coordinator

What is Emergency Management?



Mitigation

Preventing future emergencies or minimizing their effects:

- ▶ Includes any activities that prevent an emergency, reduce the chance of an emergency happening, or reduce the damaging effects of unavoidable emergencies.
- ▶ Buying flood and fire insurance for your home is a mitigation activity.
- ▶ Mitigation activities take place before and after emergencies.

Preparedness

Preparing to handle an emergency:

- ▶ Includes plans or preparations made to save lives and to help response and rescue operations.
- ▶ Evacuation plans and stocking food and water are both examples of preparedness.
- ▶ Preparedness activities take place before an emergency occurs.

Response

Responding safely to an emergency:

- ▶ Includes actions taken to save lives and prevent further property damage in an emergency situation. Response is putting your preparedness plans into action.
- ▶ Seeking shelter from a tornado or turning off gas valves in an earthquake are both response activities.
- ▶ Response activities take place during an emergency.

Recovery

Recovering from an emergency:

- ▶ Includes actions taken to return to a normal or an even safer situation following an emergency.
- ▶ Recovery includes getting financial assistance to help pay for the repairs.
- ▶ Recovery activities take place after an emergency.

Duties and Responsibilities

Coordination of municipal response to emergencies:

- ▶ Maintenance of municipal Emergency Operations Plan.
- ▶ Assist community organizations with developing and testing emergency plans.
- ▶ Managing preliminary damage assessments and FEMA public assistance process during disaster declarations.
- ▶ Other projects to advance municipality's capability to effectively respond to and manage emergencies.

Current Projects

- ▶ Municipal resources inventory – Salamander Live
- ▶ Coordination of municipal response to Code Blue Alerts
- ▶ Smart911 / Rave Alert

Municipal Resources Inventory

Salamander Live Software:

- ▶ Maintains updated listing of municipal equipment and personnel
- ▶ Useful to emergency responders for personnel accountability and safety
- ▶ Maintains a log of equipment and personnel used during emergencies – useful for disaster declaration reimbursement process

Municipal Response to Code Blue Alerts

Code Blue Alerts:

- ▶ Mission: Immediate prevention of death and injury from exposure to the elements.
- ▶ Alert is issued by County Emergency Management during times of extreme heat and cold for the protection of at-risk residents.
- ▶ OEM enacts a plan to ensure availability of **Emergency Warming Centers**. Police Department proactively reaches out to those who may be at risk.

Same concept is used to operate Emergency Cooling Centers during periods of extreme heat.

Is a warming center the same as a shelter?

No.

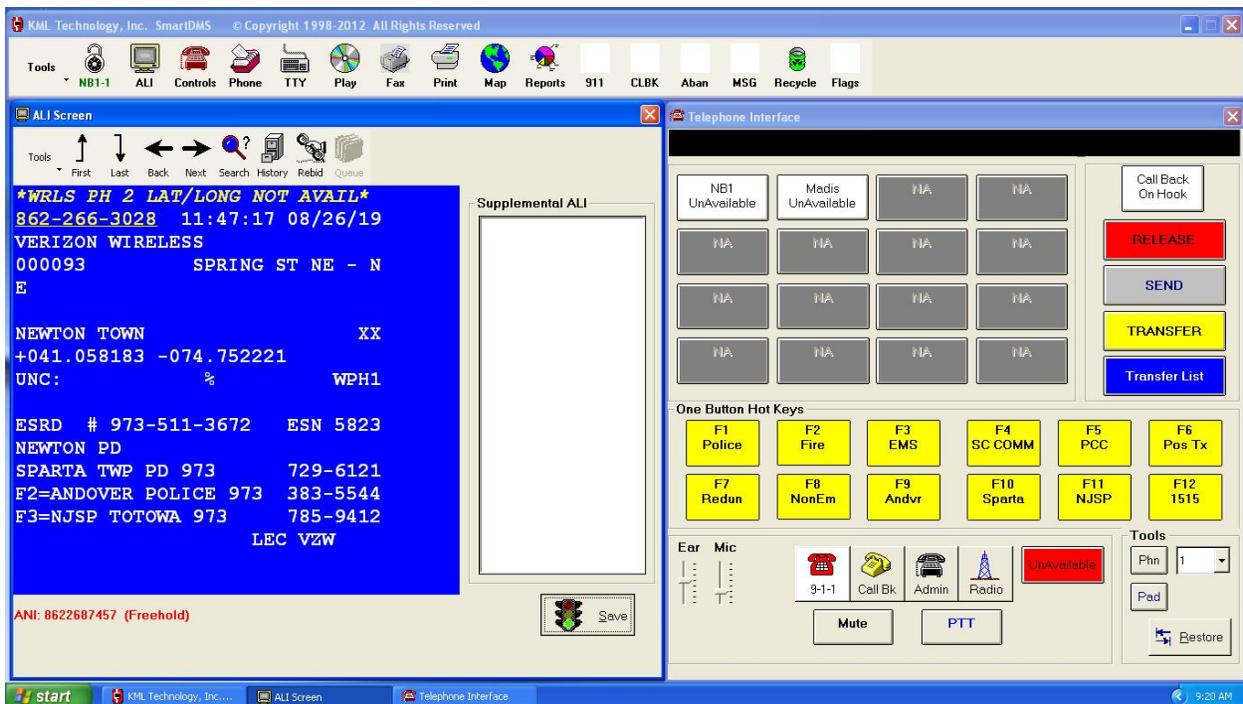
- ▶ New Jersey’s legislation was specifically intended to alleviate regulatory burdens placed upon traditional emergency shelters.
- ▶ Warming centers do not offer accommodations for eating, sleeping, or bathing.
- ▶ Intended to be a safe place to warm up and charge electronics.
- ▶ Newton’s Code Blue Plan employs a scalable, tiered approach focused on diverting people from homelessness and connecting them with available community resources.

Smart 911

Improved handling of emergency calls and mass communications:

- ▶ Highly accurate caller location data using the best available smartphone technology – RapidSOS
- ▶ Safety profiles for callers and facilities
- ▶ Dispatchers can initiate conversations with mobile callers via text message
- ▶ Opt-in for Emergency Alerts and other community messages
- ▶ Opt-in for Special Needs Registry

9-1-1 – A Telecommunicator’s View



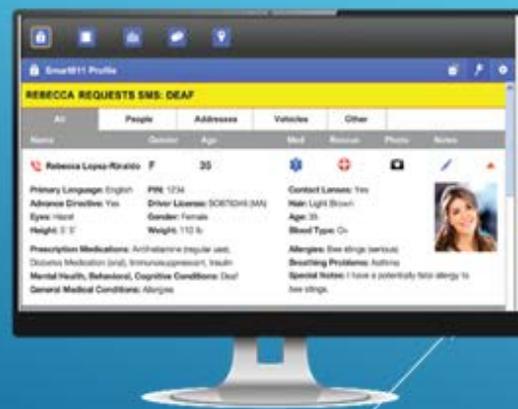
9-1-1 – A Telecommunicator's View



Smart911 Safety Profiles

What individuals create

What 9-1-1 sees



Smart911 Safety Profiles

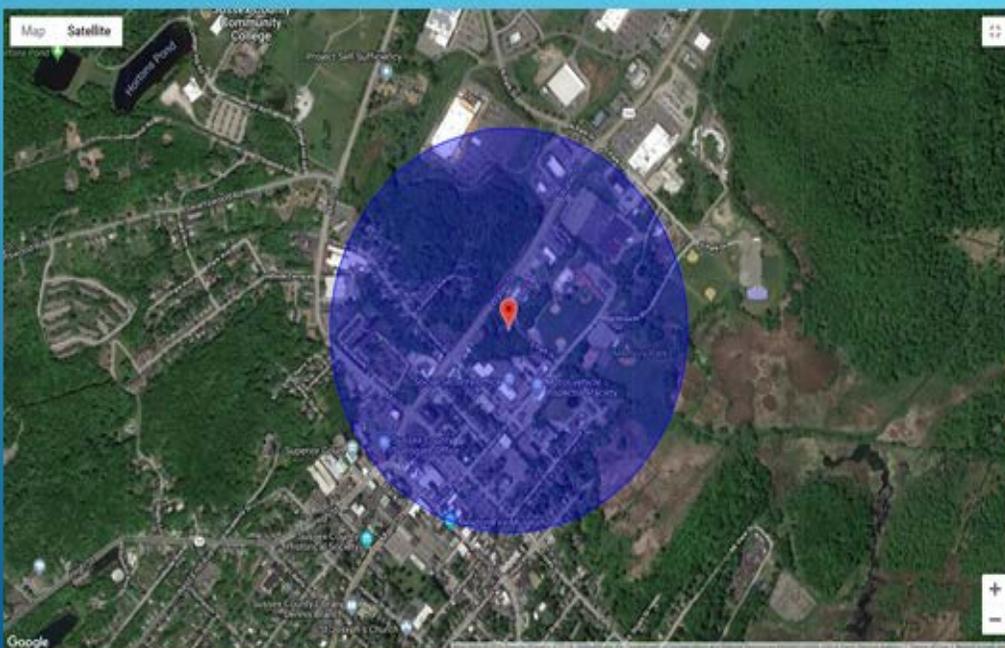
| Information Displayed: | MOBILE 911 CALL | LANDLINE 911 CALL | 911 CALL WITH SMART911 |
|------------------------|-----------------|-------------------|------------------------|
| Phone Number | ✓ | ✓ | ✓ |
| Name | | ✓ | ✓ |
| Address | | ✓ | ✓ |
| People in Household | | | ✓ |
| Photos of Children | | | ✓ |
| Medical Conditions | | | ✓ |
| Medications | | | ✓ |
| Allergies | | | ✓ |
| Rescue Notes | | | ✓ |
| Bedroom Locations | | | ✓ |
| Utility Shutoffs | | | ✓ |
| Emergency Contacts | | | ✓ |
| Vehicle Descriptions | | | ✓ |
| Number of Pets | | | ✓ |

Smart911 Safety Profiles

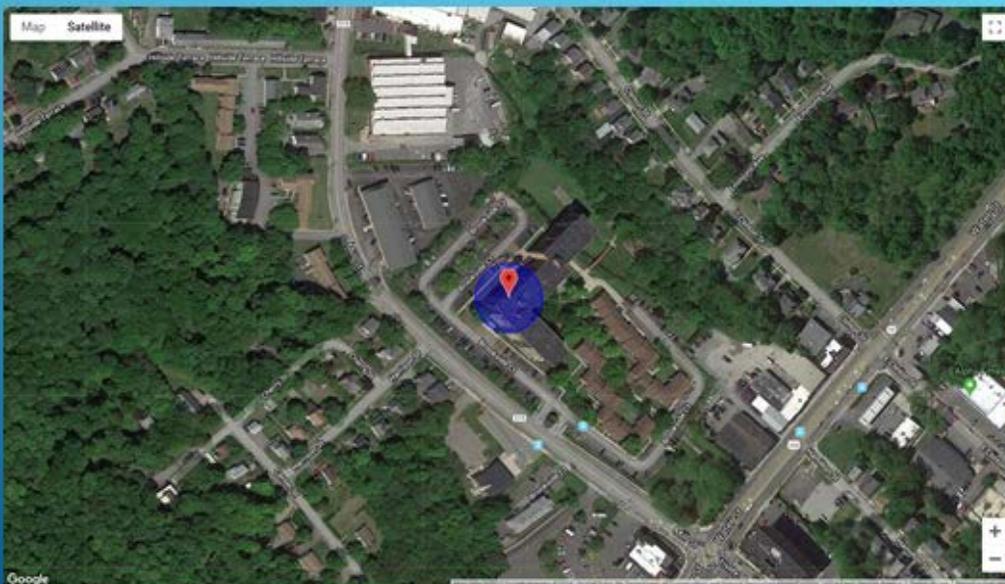
What Can My Smart911 Safety Profile Include?



9-1-1 caller location - current



Caller location - Smart911 / RapidSOS



Security and Privacy

- ▶ You decide what to include – provide as much or as little information as you want.
- ▶ Only seen if you call 9-1-1 - Your information is only available to 9-1-1 call takers and first responders if you have an emergency.
- ▶ Industry Leading Security - Your information is housed in top-tier secure facilities complete with 24/7 physical security, video surveillance, and alarms. The same SSL certificate authority and encryption technologies used by leading financial institutions is used.

Sign up for Smart911

- ▶ Sign up at Smart911.com or text **Smart911** to **67283**
- ▶ App available for iPhone and Android



CONTACT US

Newton Office of Emergency Management

39 Trinity Street
Newton, New Jersey 07860
Office: (973) 383-3521 x279
<http://www.NewtonOEM.org>



TOWN OF NEWTON
NEW JERSEY



Mayor and Town Council thanked the OEM team for their presentation and their hard work throughout the year.

ORDINANCES

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE #2019-14

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2020

The aforementioned **ORDINANCE** was offered by Mr. Schlaffer, who moved its introduction, seconded by Deputy Mayor Flynn and roll call resulted as follows:

| | | | |
|--------------------|----------------|---------------|-----|
| Mr. Dickson | Yes | Mrs. Diglio | Yes |
| Deputy Mayor Flynn | Yes | Mr. Schlaffer | Yes |
| | Mayor Le Frois | Yes | |

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, December 9, 2019.

OLD BUSINESS – None.

Mayor Le Frois advised this Resolution is for separate discussion due to Councilwoman Diglio recusing from same.

RESOLUTION #229-2019

RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP OF AN AMBULANCE FROM THE TOWN OF NEWTON TO THE NEWTON FIRST AID SQUAD

WHEREAS, the Newton First Aid Squad (“NFAS”) is a non-profit corporation that provides first response and ambulance services to the residents of the Town of Newton; and

WHEREAS, the Town owns an ambulance utilized by NFAS; and

WHEREAS, N.J.S.A. 40:5-2 authorizes the Town to make annual contributions to the NFAS and as such, the Town Council desire to include the value of the vehicle as part of its annual contribution for the year 2019. The original cost of the vehicle was \$150,000.00 and the current estimated market value with equipment as determined by VCI Emergency Vehicle Specialists is \$52,000.00; the NFAS spent \$24,149.50 on improvements bringing the net value of the transfer to \$27,850.50; and

WHEREAS, the parties agree it is in the best interested of all concerned for the NFAS to take ownership of the vehicle and maintain and insure same;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that title to the ambulance shall be transferred from the Town of Newton to the NFAS as part of the Town’s 2019 contribution to the NFAS; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Newton hereby agrees to the transfer of title to the aforementioned vehicle identified in this resolution, subject to the understanding that in the event that the NFAS ever dissolves for any

reason, the vehicle, or the monetary value of same, shall be returned to the municipality; and

BE IT FURTHER RESOLVED that the Mayor, Town Manager, and Clerk are authorized to sign the documents necessary to transfer title to the vehicle to the NFAS.

| | | | |
|--------------------|----------------|---------------|---------|
| Mr. Dickson | Yes | Mrs. Diglio | Recused |
| Deputy Mayor Flynn | Yes | Mr. Schlaffer | Yes |
| | Mayor Le Frois | Yes | |

CONSENT AGENDA

Mayor Le Frois read the following statement:

“All items listed with an asterisk () are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.”*

Mr. Russo reviewed the consent agenda items.

At this time, Deputy Mayor Flynn and Mr. Dickson pulled Resolutions #237-2019 & #239-2019 for further discussion.

RESOLUTION #230-2019*

CHANGE OF PROCEDURE FOR CLAIMANT CERTIFICATION

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a); and

WHEREAS, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer, Monica B. Miebach of the Town of Newton, recommends a claimant signature only be required for the following:

- Transactions above the dollar threshold of \$6,000
- Reimbursement to Town Employees
- Sole Proprietors
- Deposits in advance of work and travel

WHEREAS, the Chief Financial Officer and Town Manager recommend the adoption of this Claimant Signature policy;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Newton that, effective immediately, Claimant Certification be waived on the Town Purchase Orders with the exceptions noted above.

RESOLUTION #231-2019*

REVISED RESOLUTION TO DESIGNATE OFFICIALS TO SIGN CHECKS FOR THE TOWN OF NEWTON – TOWNSHIP OF GREEN CONSOLIDATED MUNICIPAL COURT

BE IT RESOLVED by the Town Council of the Town of Newton, that the Deputy Court Administrator, Michelle Estremera, and the Court Administrator, Katherine Quinn, are hereby authorized to sign General Account checks and Bail Account checks for the Town of Newton and Green Township Consolidated Municipal Court.

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RESOLUTION #232-2019*

APPOINTMENT OF KEITH MITCHELL AS RISK MANAGEMENT CONSULTANT FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2020

WHEREAS, the Town of Newton (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of "Local Unit", in the County of Sussex and State of New Jersey, as follows:

1. The Town of Newton hereby appoints Keith Mitchell its local Risk Management Consultant.
2. The Town Manager, Municipal Clerk, and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2020 in the form attached hereto.

Name of Entity: Town of Newton

Attest:

Lorraine A. Read, Municipal Clerk

Helen R. Le Frois, Mayor

RESOLUTION #233-2019*

AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR SUBURBAN CONSULTING ENGINEERS, INC., DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE COMMUNITY POOL RENOVATIONS AT MEMORY PARK

WHEREAS, the Town of Newton requires the services of a professional engineer for Design and Construction Administration Services for the Community Pool Renovations at Memory Park through a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, under the Local Publics Contract Law N.J.S.A.40A:11-5, professional services are exempt from public bidding; and

WHEREAS, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services in the aggregate will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is until project completion; and

WHEREAS, Suburban Consulting Engineers, Inc., has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Suburban Consulting Engineers, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit Suburban Consulting Engineers, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2019 budget, funds NOT TO EXCEED \$39,500.00 will be encumbered as follows:

Capital – ORD #2019-9 Pool Improvements #3091909

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NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract Design and Construction Administration Services for the Community Pool Renovations at Memory Park with Suburban Consulting Engineers, Inc., not to exceed \$39,500.00; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION #234-2019*

AUTHORIZING THE ADOPTION OF THE TOWN OF NEWTON DOMESTIC VIOLENCE POLICY AND DESIGNATING THE TOWN HUMAN RESOURCES DIRECTOR AS THE HRO AND TOWN MANAGER AS THE SECONDARY HRO

WHEREAS, N.J.S.A. 11A:2-6a requires all municipalities to adopt and distribute the State of New Jersey Domestic Violence Policy for Public Employees, developed by the Civil Service Commission; and

WHEREAS, the Town must now adopt a Domestic Violence Policy and, among another things, designate a Human Resources Officer (“HRO”) and secondary HRO to receive and address questions about domestic violence;

NOW, THEREFORE, BE IT RESOLVED by the Town of Newton that the attached Town of Newton Domestic Violence Policy is hereby adopted and shall be distributed to all current employees and provided to new hires; and

BE IT FURTHER RESOLVED that the Town hereby designates the Human Resources Director as the HRO and the Town Manager as the Secondary HRO, as required by law.

RESOLUTION #235-2019*

APPROVE 2019 APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2019 appropriation transfers be approved effective this date:

| <u>From</u> | <u>To</u> | <u>Amount</u> |
|-----------------------------------|-------------------------------------|---------------------------|
| <u>CURRENT</u> | | |
| Employee Group Ins. OE 1066201 | Health Benefit Waiver OE 1066300 | 5,050.00 |
| Senior Citizen SW 1093100 | Road SW 1080103 | 3,500.00 |
| Court SW 1059101 | Road SW 1080103 | 4,000.00 |
| Pool OE 1090207 | Pool SW 1090102 | 1,010.00 |
| Recycling OE 1083269 | Building & Grounds OE 1061239 | 3,000.00 |
| TOTAL CURRENT TRANSFERS | | <u>\$16,560.00</u> |

RESOLUTION #236-2019*

AUTHORIZE CHANGE ORDER NO. 1 FOR THE PROPOSED CONSTRUCTION OF ADA RAMPS ON PLAINFIELD AVENUE PROJECT

WHEREAS, on August 5, 2019, the Newton Town Council adopted Resolution #182-2019, awarding the Proposed Construction of ADA Ramps on Plainfield Avenue Project to Tony’s Concrete Construction Co., Inc., in the amount of \$19,765.00; and

WHEREAS, the Town Engineer, Harold E. Pellow, of Harold E. Pellow & Associates, Inc., recommends in his memo dated November 7, 2019, approving Change Order No.

November 25, 2019

1, for the Construction of ADA Ramps on Plainfield Avenue Project for a decrease in the amount of \$797.50 for a new contract total of \$18,967.50;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the Town Engineer’s recommendation and accepts Change Order No. 1 for the Construction of ADA Ramps on Plainfield Avenue Project and accepts the project as final and complete; and

BE IT FURTHER RESOLVED, that a copy of Change Order No. 1, and Mr. Pellow’s recommendation memo of November 7, 2019 be attached to and made part of this Resolution.

RESOLUTION #238-2019*

REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 2.02, LOT 4, ALSO KNOWN AS 105 LAKE AVENUE

WHEREAS, at the Municipal Tax Sale held on October 23, 2019, a lien was sold on Block 2.02, Lot 4, also known as 105 Lake Avenue, for 2018 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2019-002, was sold to CC1 NJ II LLC for a \$1,500.00 premium and 0% redemption fee; and

WHEREAS, Corelogic on behalf of the owners, Joshua Rothstein and Catherine Ruch, has effected the redemption of Certificate #2019-002 in the amount of \$734.56;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges CC1 NJ II LLC is entitled to a redemption in the amount of \$734.56 and the return of the premium in the amount of \$1,500.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$734.56 for the redemption and a check for \$1,500.00 for the return of the premium for Certificate #2019-002 to CC1 NJ II LLC, PO Box 123800, Dallas, TX 75312.

RESOLUTION #240-2019*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following accounts for amounts billed incorrectly due to the reason(s) stated:

UTILITY BOARD RECOMMENDS CREDIT FOR METER THAT WAS STUCK:

| <u>Account</u> | <u>Address</u> | <u>Amount</u> |
|----------------|------------------------|---------------|
| 7077 | 17-19 B Liberty Street | \$352.00 |

RESOLUTION #241-2019*

AUTHORIZE EXECUTION OF AN AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU)

WHEREAS, the terms of a contract covering the four-year period from January 1, 2019 to December 31, 2022 have been negotiated by representatives of the United Public Service Employees Union “UPSEU” and representatives of the Town of Newton; and

WHEREAS, an appropriate contract reflecting the changes from the previous agreement has been prepared and executed by UPSEU representatives;

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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby authorizes the Mayor, Municipal Clerk, and other appropriate Municipal Officials, to execute said four-year contract covering calendar years 2019, 2020, 2021, and 2022 with the United Public Service Employees Union (UPSEU).

RESOLUTION #242-2019*

APPROVE BILLS AND VOUCHERS FOR PAYMENT

BE IT RESOLVED by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2018 and 2019 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

TOWN BILLS

42356 3897 - **SYNCHRONY BANK** PO 55814 Flag poles - Flags of Honor Event 169.08 **169.08**
42357 4026 - **AUTOZONE** PO 54339 B: AUTO PARTS Acct #11108160 41.48 **41.48**
42358 1132 - **BOONTON TIRE SUPPLY INC.** PO 55614 B: PD Vehicle Repair 357.44
PO 55895 SENIOR BUS REPAIR 1,230.61 **1,588.05**
42359 192 - **CAMPBELL'S SMALL ENGINE INC.** PO 54581 BLANKET:PARKS EQUIP MAINT 15.75 **15.75**
42360 4229 - **CAPPA-FOSCHINI, MARIA** PO 55929 COURT COVERAGE 10-22/10-29/11-12 450.00
450.00
42361 163 - **CENTURYLINK COMMUNICATIONS, INC.** PO 53970 B: ALARM CIRCUITS - A/C
#309485585 125.85 **125.85**
42362 163 - **CENTURYLINK COMMUNICATIONS, INC.** PO 53971 B: LONG DISTANCE est.\$75 x12=\$900
75.58 **75.58**
42363 3770 - **CINTAS CORPORATION NO. 2** PO 54443 B: Water Filtration/Cooler/Cleaning 90.00
90.00
42364 2361 - **CSS TEST INC.** PO 54055 B: Pre-Employment/Post Accident - D 288.00
PO 55867 Background / Credit Check - M Mieba 103.00 **391.00**
42365 4180 - **DIFRANCESCO, BATEMAN, KUNZMAN,** PO 55806 CONFLICT TAX APPEAL ATTORNEY -
SEPT 875.00 **875.00**
42366 2386 - **DOMINICK'S PIZZA LLC** PO 55899 Pizza - Halloween Party - 10/31/19 68.80 **68.80**
42367 3124 - **EXTRA TECH DATA SERVICES, LLC.** PO 54549 B: IT SERVICES 2019 956.00 **956.00**
42368 3233 - **FASTENAL COMPANY, INC.** PO 55876 PlowBolt/ Rpr CUST #NJSPA0642 124.41 **124.41**
42369 257 - **FERRAIOLI, CERULLO & CUVA** PO 55708 CFO HIRING CONSULTING 280.00
PO 55761 Add'l acctg for FAST Audit module t 210.00 **490.00**
42370 197 - **FIRE FIGHTERS EQUIPMENT CO. INC.** PO 55825 FIRE EXTINGUISHERS RECHARGED 177.00
177.00
42371 2525 - **FIREFIGHTER ONE, LLC.** PO 55798 FIRE HOSE REPLACEMENT 6,601.50 **6,601.50**
42372 373 - **GALLS, LLC** PO 55758 CODE ENF UNIFORMS PANTS AND BOOTS 184.97 **184.97**
42373 3407 - **GARY W. CRIFT** PO 55975 CPR/AED TRAINING 365.00 **365.00**
42374 2626 - **GENERAL CODE, LLC** PO 55880 ANN MAINT CODE BOOK (11/19-10/20) 1,195.00
1,195.00
42375 1608 - **GOLD TYPE BUSINESS MACHINES** PO 55816 CABLE REPLACEMENT 128.00 **128.00**
42376 2313 - **GRAVITY DESIGN WORKS, INC.** PO 55813 Stigma Free Signs 650.00 **650.00**
42377 3804 - **HAYDEE BALLESTER** PO 53975 B: TRANSLATION -Sept @ \$165 165.00 **165.00**
42378 230 - **HAYEK'S MARKET INC.** PO 55650 Budget Planning Lunch 43.44 **43.44**
42379 1866 - **HOME DEPOT, INC.** PO 54311 BLANKET: B&G/VehMain/RdSupp's 27.96
PO 55932 OPERATION SANTA SUPP'S 88.82
PO 55956 CATCH BASIN SUPP'S 926.83
PO 55958 Tools/ Suppl/ Equip Main/ Special E 383.85 **1,427.46**
42380 4222 - **INSTANTCARD** PO 55787 ID BADGES 195.00 **195.00**
42381 332 - **J & D SALES & SERVICE,LLC.** PO 55839 Repair Pump Seal 181.50 **181.50**
42382 3235 - **J. CALDWELL & ASSOCIATES, LLC.** PO 55892 TOWN COUNCIL -OCT 250.00 **250.00**
42383 2902 - **JANIEN N ROBERTS** PO 55937 MILEAGE REIMB CLERKS SEMINAR 19.49 **19.49**
42384 113 - **JCP&L** PO 55879 FIRE #2 -OCT 157.75 **157.75**
42385 3711 - **KKPR MARKETING & PUBLIC RELATIONS,** PO 54002 B: MARKETING & PUBLIC RELATIONS
825.00 **825.00**
42386 2532 - **LADDEY, CLARK & RYAN, LLP** PO 53955 B: 2019 PROSECUTOR - McMeen (\$3 2,583.33
PO 55947 LEGAL -OCT 3,584.00 **6,167.33**
42387 266 - **LAFAYETTE AUTO PARTS** PO 55765 Veh hydraulic hose fitting 10.58
PO 55790 Snow Plow/ Prep Equip CUST #NJSPA06 62.39 **72.97**
42388 2278 - **LANGUAGE LINE SERVICES, INC.** PO 54014 B: TRANSCRIPTION SERVICES acct #90
11.90 **11.90**
42389 206 - **LOCK & KEY WORLD** PO 55901 Repl Locks & Keys 106.00 **106.00**
42390 1141 - **MCGUIRE, INC.** PO 55822 TRUCK #16 SERVICE/ Leaking FilterCU 386.98
PO 55907 TRUCK 7 347.58 **734.56**

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42391 409 - **MINISINK PRESS INC** PO 55749 Programs - Flags of Honor Dedicatio 65.00
PO 55801 Envelopes 215.00 **280.00**
42392 53 - **MONTAGUE TOOL & SUPPLY, INC.** PO 55838 Equip Main/ Serv 170.03
PO 55878 Plow Main/ Cutter for Plow 213.45 **383.48**
42393 1741 - **MORRIS COUNTY POLICE ACADEMY** PO 55753 DV/HAZ-MAT COURSES #00c00495
75.00 **75.00**
42394 3728 - **MUNICIPAL SAFETY SUPPLY** PO 55670 CROSSING GUARD WINTER HATS 258.00 **258.00**
42395 170 - **NEWTON BOARD OF EDUCATION** PO 55897 SCHOOL TAX -NOV 1,029,765.00
1,029,765.00
42396 2201 - **NEWTON FIRE DEPARTMENT** PO 55885 2019 AID TO FIREMEN 12,800.00 **12,800.00**
42397 4108 - **NIELSEN FORD INC.** PO 55883 CAR #3 CRACKED MANIFOLD REPAIR CUS 290.16
290.16
42398 106 - **ELIZABETHTOWN GAS** PO 55943 NAT GAS -OCT 1,251.12 **1,251.12**
42399 3396 - **P.O.S. SOLUTIONS, NJ, LLC.** PO 55638 Clerk Register Maint. Contract #45 720.00
720.00
42400 3954 - **PAR TROY SOUND OF NEWTON, INC.** PO 55921 Wiring kit/Radio Rpr 140.00 **140.00**
42401 2788 - **PENTELEDATA** PO 53973 B: INTERNET est.\$1180 x 12=\$14,160 769.70 **769.70**
42402 39 - **QUILL CORPORATION** PO 55549 B: OFFICE SUPPLIES cust #6182634 64.35 **64.35**
42403 251 - **R.S. PHILLIPS STEEL LLC** PO 55764 STEEL FOR PLOW REPAIR/ Winter Prep 329.52 **329.52**
42404 2478 - **RACHLES/MICHELE'S OIL COMPANY, INC.** PO 54562 B: GAS - 4,505.95 **4,505.95**
42405 3731 - **READY REFRESH BY NESTLE** PO 53966 B: 2019 WATER DELV 116.72 **116.72**
42406 3679 - **REISINGER OXYGEN SERVICE, INC.** PO 54015 B: OXYGEN POLICE CUST #05587 **47.18**
42407 61 - **S K PAPER SHRED** PO 54345 B: 2019 PAPER SHREDDING (\$150 X 6X' 120.00 **120.00**
42408 3660 - **SCHENCK, PRICE, SMITH, & KING, LLP** PO 55812 TAX APPEALS -APR/MAY **7,687.91**
42409 126 - **SCMUA** PO 55983 TRASH REMOVAL (10/11-11/12/19) 304.10 **304.10**
42410 951 - **SERVICE ELECTRIC CABLE TV, INC.** PO 53960 B: DIGITAL CONVERTERS & DTA's - 108.35
108.35
42411 3993 - **SLOAN, JAMES P.** PO 53957 B: 2019 JUDGE - (\$35,700/12=\$2,975 3,278.50 **3,278.50**
42412 3117 - **SOME'S WORLD WIDE UNIFORMS, INC.** PO 55628 PD SAFETY VESTS ACCT:10706 **194.97**
42413 2257 - **STAPLES BUSINESS ADVANTAGE, INC.** PO 55220 B: OFFICE SUPLIES 366.14
PO 55826 Office Supplies 2nd Floor 249.90
PO 55884 Envelopes 11.99
PO 55887 OEM OFFICE SUPP'S 79.99
PO 55912 OFFICE SUPPLIES - BUILDING DEPARTME 297.14 **1,005.16**
42414 2257 - **STAPLES BUSINESS ADVANTAGE, INC.** PO 55931 OPERATION SANTA SUPP'S 114.56
PO 55971 BATTERIES MEGA PHONE 14.29
PO 55973 BLK TONER COURT 92.00
PO 55974 OPRA COPIES 10.65 **231.50**
42415 2485 - **STEVE VAN NIEUWLAND** PO 55910 REIMBURSEMENT FOR RECERTIFICATION 55.00 **55.00**
42416 4144 - **SUBURBAN CONSULTING ENGINEERS, INC.** PO 54317 POOL FEASIBILITY STUDY 251.06
251.06
42417 3442 - **SUNLIGHT GENERAL** PO 54234 B: DPW/STP ELECTRIC - 787.71 **787.71**
42418 3777 - **SUNSET** PO 55840 LABELS cust #4031 130.84 **130.84**
42419 102 - **SUSSEX CAR WASH INC** PO 54044 B: PD CAR WASHES - 40.00 **40.00**
42420 4028 - **SUSSEX COUNTY TECH SCHOOL** PO 55882 Flags of Honor - desserts 105.00 **105.00**
42421 3404 - **TEAM LIFE, INC.** PO 55735 AED LITHIUM BATTERY 375.00 **375.00**
42422 3115 - **THE NJ SHADE TREE FEDERATION** PO 55755 Shade Tree Conference 10/24/2019 450.00
450.00
42423 3398 - **TOYOTA/SUBARU/SCION OF MORRISTOWN I** PO 54706 B: ROUTINE MAINT 2013
CAMRY 599.36 **599.36**
42424 219 - **TRI-STATE RENTALS, INC.** PO 55759 Tables & Linens - Flags of Honor (e 230.40
PO 55843 DECORATIONS/PAPER SUPP'S DAWN'S RET 79.70 **310.10**
42425 2781 - **TRIMBOLI & PRUSINOWSKI, LLC.** PO 54001 B: LABOR RELATIONS - Ann 1,260.00 **1,260.00**
42426 4018 - **USA HOIST CO., INC.** PO 54946 B: ELEVATOR MAINT (TOWNHALL SIDE) 6 230.00 **230.00**
42427 1280 - **VERIZON WIRELESS, INC.** PO 55939 CELL PHONES -OCT 1,402.06 **1,402.06**
42428 3893 - **W.CAMPBELL SUPPLY OF SUSSEX CTY LLC** PO 55800 TRUCK REPAIR TRUCK 12 cust
#27674 4,745.93
PO 55850 TRUCK REPAIR TRUCK 4 CUST #27674 1,694.52 **6,440.45**
42429 1500 - **WALMART** PO 55959 MEET/GREET SUPP'S 43.44
PO 55964 Padded Envelopes - Flags of Honor 5.47 **48.91**
42430 4226 - **WANDALY ORAMA** PO 55868 POMCA Train - 9/9,16,23,30, 10/7/19 179.22 **179.22**
42431 382 - **WELDON ASPHALT COMPANY, INC.** PO 55770 ASPHALT REPAIR/ Stormwater damage K
5,931.71 **5,931.71**
42432 804 - **WEST CHESTER MACHINERY** PO 55819 PLOW BLADES 3,390.00 **3,390.00**

TOTAL **1,111,832.96**

100001 CASH - CURRENT - LAKELAND #434 0.00 1,111,832.96
101265 DUE NEWTON BOE - SCHOOL TAX PAYABLE 1,029,765.00
1050200 TOWN MANAGER'S OFFICE - OTHER EXPENSES 3,527.78
1051200 TOWN CLERK'S OFFICE - OTHER EXPENSES 750.14
1052200 TOWN COUNCIL - OTHER EXPENSES 579.70

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1053200 HUMAN RESOURCE - OTHER EXPENSES 498.80
1054200 FINANCE ADMINISTRATION - OTHER EXPENSES 210.00
1058200 LEGAL SERVICES - OTHER EXPENSES 15,990.24
1059200 MUNICIPAL COURT - OTHER EXPENSES 886.22
1061200 BUILDINGS & GROUNDS - OTHER EXPENSES 541.08
1062200 PLANNING BOARD - OTHER EXPENSES 11.99
1064200 COMMUNITY DEVELOPMENT - OTHER EXPENSES 250.00
1070200 FIRE DEPARTMENT - OTHER EXPENSES 4,905.03
1072200 AID TO VOLUNTEER FIRE DEPTS - OTHER EXP 12,800.00
1074200 POLICE DEPARTMENT - OTHER EXPENSES 1,896.63
1074300 COMMUNICATIONS CENTER - OTHER EXPENSES 64.35
1077200 INSPECTION OF BUILDINGS - OTHER EXPENSES 297.14
1077500 CODE ENFORCEMENT - OTHER EXPENSES 184.97
1078200 EMERGENCY MANAGEMENT - OTHER EXPENSES 79.99
1080200 ROAD REPAIR & MAINT - OTHER EXPENSES 3,717.77
1081200 SNOW REMOVAL - OTHER EXPENSES 4,200.62
1083200 RECYCLING/SANITATION - OTHER EXPENSES 294.68
1083300 VEHICLE MAINTENANCE - OTHER EXPENSES 11,821.49
1085200 OCCUPATIONAL HEALTH - OTHER EXPENSES 756.00
1087200 RECREATION - OTHER EXPENSES 637.71
1089200 UTILITY EXP/BULK PURCH - OTHER EXPENSES 9,184.07
1091200 PARKS & PLAYGROUNDS - OTHER EXPENSES 15.75
1094550 RECYCLING TAX (PL2007 c.311)O/S CAP 9.42
1094798 INTERLOCAL - GREEN TWP COURT 3,278.50
1095200 CAPITAL IMPROVEMENTS - OTHER EXPENSES 4,677.89

TOTALS FOR CURRENT FUND 82,067.96 0.00 1,029,765.00 1,111,832.96

191066 TRUST ACCOUNT, TOWN OF NEWTON PO# 55935 Curr Rec money owed to trust unsol
 2,540.80 11/15/2019
 191065 PAYROLL ACCOUNT 11/14 Current Pay 194,424.62 11/14/2019
 191064 TRUST ACCOUNT, TOWN OF NEWTON CURR FALL FEST CAR SHOW VENDOR MOV 350.00
 10/16/2019

197,315.42

CAPITAL

8860 2685 - **B & H INC.** PO 55621 FIREHOUE #2 TV CUST #42526615 2,659.31 **2,659.31**
 8861 2794 - **C&V Paving Contractors, In** PO 54986 CHURCH ST PAVING 74,653.53 **74,653.53**
 8862 263 - **MCMANIMON, SCOTLAND & BAUMANN, LLC** PO 55857 REDEVELOPMENT -AUG 547.40
547.40
 8863 3606 - **NJ FENCE LLC** PO 55748 Ballfield Fence near Dugout (Est) 650.00 **650.00**
 8864 2312 - **SPECTRUM COMMUNICATIONS, INC.** PO 54924 FIREHOUSE #2 RADIOS 2,990.91
2,990.91
 8865 4144 - **SUBURBAN CONSULTING ENGINEERS, INC.** PO 55323 CAF: ADD'L ENGINEER POOL
 EVALUATIO 584.98 **584.98**
 8866 1034 - **TONY'S CONCRETE CONSTR CO, INC** PO 55321 ADA RAMPS PLAINFIELD AVE Bid
 18,588.15 **18,588.15**

TOTAL **100,674.28**

Summary By Account

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

300001 CASH - CAPITAL - LAKELAND #450 0.00 100,674.28
3091406 ORD 2014-6 VARIOUS \$1,912T 650.00
3091605 ORD 2016-5 VARIOUS \$1,190T 2,171.05
3091709 ORD 2017-9 VARIOUS \$1,405 819.86
3091806 ORD 2018-6 supp FIREHOUSE #2 2,659.31
3091807 ORD 2018-7 VAR-2Veh/StSign/Rd-Chrch \$220 74,653.53
3091813 ORD 2018-13 reapprop for Pool \$27,244 584.98
3091817 ORD 2018-17 Prelim Plan/Redev \$50T fully 547.40
3091903 ORD 2019-3 Var-B&Groof/skidSteer/Plainfl 18,588.15

TOTALS FOR CAPITAL 100,674.28 0.00 0.00 100,674.28

8859 CHEF'S CORNER RESTAURANT EQUIPMENT & SUPP'S, INC. PO# 54985 FIRE #2 APPLIANCE
 EQUIPMENT 9,522.50 11/13/2019
 183002 PAYROLL ACCOUNT 11/14 Capital Pay Plainfield 2,571.04 11/14/2019

12,093.54

Totals by fund Previous Checks/Voids Current Payments Total

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BILLS LIST TOTALS 12,093.54 100,674.28 **112,767.82**

TOTAL TOWN BILLS \$1,522,590.48

WATER/SEWER BILLS

17218 2709 - **ACCURATE WASTE REMOVAL INC.** PO 52707 B: SLUDGE TRUCKING STP (APR-DEC) 3,986.50 **3,986.50**
17219 921 - **AIRGAS EAST** PO 52105 B: CARBON DIOXIDE \$30 X 12 = \$360 21.81 **21.81**
17220 2141 - **AIRMATIC COMPRESSOR SYSTEMS, INC.** PO 53476 Service Contract Renewal 10/2018 - 2,528.65
PO 53477 RPR ELEKTRONIKON acct #AC040822 WT 1,155.44 **3,684.09**
17221 227 - **ALLIED METER SERVICE INC.** PO 53416 METER TEST 19 Church Street 40.00 **40.00**
17222 163 - **CENTURYLINK COMMUNICATIONS, INC.** PO 51902 BLANKET: WOODSIDE AVE PS (JAN-DEC) \$ 80.49 **80.49**
17223 3770 - **CINTAS CORPORATION NO. 2** PO 51710 BLANKET: 1ST AID SUPP'S 98.23
PO 53269 B: Water Filtration/Cooler/Cleaning 95.00 **193.23**
17224 155 - **COYNE CHEMICAL CORP., INC.** PO 52160 B: SODIUM BISULFITE WTP 323.58
PO 52702 B: SULFUR DIOXIDE STP (APR-DEC) 1,097.04
PO 52703 B: CHLORINE/GAS STP (APR-DEC) 1,683.73
PO 52706 B: CHLORINE SODIUM HYPOCHLORITE WTP 1,542.16
PO 53525 CP-837 CUST #214102 856.23 **5,502.74**
17225 200 - **GARDEN STATE LABORATORIES INC** PO 53376 CAF: WATER TANK TESTING WTP 800.00
PO 53506 WASTE & DRINKING WATER ANALYSIS AUG 1,452.50
PO 53633 WASTE & DRINKING WATER ANALYSIS SEP 3,159.50 **5,412.00**
17226 70 - **HACH COMPANY** PO 52884 B: Lab Supplies For Both Water And 318.56 **318.56**
17227 3876 - **HOLLAND COMPANY, INC.** PO 52700 B: CES PACL 2500 (APR-DEC) 6,751.02 **6,751.02**
17228 3235 - **J. CALDWELL & ASSOCIATES, LLC.** PO 53475 COUNCIL BUSINESS -SEPT 120.00 **120.00**
17229 3772 - **JK HVAC SERVICE, LLC.** PO 53504 Thermostat Rpr 310.56 **310.56**
17230 2569 - **KIEFFER ELECTRIC, INC.** PO 53628 MORRIS LK GENERATOR/Under Voltage **690.00**
17231 1141 - **MCGUIRE, INC.** PO 53493 WS/DPW/VehicleRPRS cust #2252 395.38 **395.38**
17232 409 - **MINISINK PRESS INC** PO 53404 Fall Public Newsletter printing 1,330.00 **1,330.00**
17233 3166 - **MOTT MACDONALD** PO 52454 Water Effect Ration Study for Coppe 1,100.00
PO 53632 SEWER CONSULT "HIGH ST WTR TANK MIX 970.70 **2,070.70**
17234 116 - **NEW JERSEY HERALD, INC.** PO 53594 NJH Ad acct #2421 33.60 **33.60**
17235 4108 - **NIELSEN FORD INC.** PO 53503 Smalley TrkRpr CUST #303703 41.16 **41.16**
17236 2882 - **ONE CALL CONCEPTS, INC.** PO 52037 B: ONE CALL MESSAGES (JAN-DEC) **100.00**
17237 2216 - **PALL CORPORATION** PO 52167 2018 SVC CONTRACT FILTERS WTP ACCT **4,677.74**
17238 1407 - **PASSAIC VALLEY SEWERAGE COMM.** PO 52709 B: SLUDGE DISPOSAL (APR-DEC) **4,998.00**
17239 64 - **PELLOW, HAROLD & ASSO, INC.** PO 53511 WATER QUALITY ACCOUNTABILITY MAPPIN 130.00
PO 53513 MORRIS LAKE RESERVIOR WATER ALLOCAT 368.00
PO 53514 WATER ENG -SEPT 1,723.00
PO 53595 MORRIS LAKE DAM -SEPT 32.50
PO 53616 NEWTON PLANNUNG BD w/s-SEPT 585.00 **2,838.50**
17240 2212 - **PROCESS TECH SALES AND SERVICE** PO 53483 DEMAND SERVICE & TURBIDITY 1,255.95 **1,255.95**
17241 121 - **PUMPING SERVICES, INC.** PO 52057 QTR INSPECT MORRIS LAKE SCADA SYSTE **1,400.00**
17242 4034 - **R & J CONTROL INC.** PO 53612 MORRIS LK GENERATOR/Under Voltage 298.00 **298.00**
17243 611 - **SEBRING AUTO PARTS, INC.** PO 51745 BLANKET: AUTO PARTS ACCT #46 171.87 **171.87**
17244 1489 - **SMALLEY, JOHN H** PO 51727 BLANKET: SVCS @ MORRIS LAKE \$15,00 1,250.00 **1,250.00**
17245 2257 - **STAPLES BUSINESS ADVANTAGE, INC.** PO 51863 BLANKET W/S OFFICE SUPPLIES 13.74
PO 53497 DPW/WS OFFICE SUPP'S 304.74 **318.48**
17246 2056 - **SUBURBAN PROPANE, LP.** PO 52726 B: PROPANE WTP ACCT #2332 2,445.34 **2,445.34**
17247 3442 - **SUNLIGHT GENERAL** PO 51736 BLANKET: DPW/STP ELECTRIC 620.97 **620.97**
17248 130 - **SUSSEX COUNTY P & H, INC.** PO 51856 BLANKET: PLUMBING SUPP'S 1,224.39 **1,224.39**
17249 371 - **T.A. MOUNTFORD COMPANY, INC.** PO 53630 COPIER CONTRACT STP 10/15/18 - 10/1 **250.00**
17250 1280 - **VERIZON WIRELESS, INC.** PO 53295 B: 4TH QTR CELL PHONES (SEPT-DEC) 223.94 **223.94**

TOTAL 53,055.02

600001 CASH - W/S OPERATING-LAKELAND #426 0.00 53,055.02
6051200 W&S OPERATING - TOTAL OTHER EXPENSES 50,883.82
6089293 W&S CAP IMPROVE - CAPITAL OUTLAY 368.00
6089305 W&S CAP IMPROVE - WATER TANK IMPROV 1,770.70
6089339A (2017) W&S CAP IMPROVE - MORRIS LK PUMP 32.50

TOTALS FOR WATER/SEWER UTILITY 53,022.52 32.50 0.00 53,055.02

186043 PAYROLL ACCOUNT Water Sewer PAY 11/15/18 35,434.29 11/15/2018

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186042 ELAVON - ON LINE FEES ELAVON ONLINE FEES 113.37 11/06/2018
186041 JP MORGAN CHASE BANK 2012 Refund W/S USDA int \$8525T @3 137,181.25 11/01/2018
186040 PAYROLL ACCOUNT 11/01 W/S Pay 35,298.44 11/01/2018 208,027.35

Total paid from Fund 60 WATER/SEWER UTILITY 208,027.35

TOTAL WATER/SEWER UTILITY BILLS \$261,082.37

FEDERAL/STATE GRANTS BILLS

1480 126 - SCMUA PO 55982 LEAF DISPOSAL (10/30-11/8/19) 2,042.80 2,042.80
1481 4165 - SF MOBILE-VISION, INC. PO 55877 THERMAL BLUE RAY DVD-R's CUST #NJN 847.60

TOTAL 2,890.40

TOTALS FOR FEDERAL/STATE GRANTS 0.00 0.00 2,890.40 2,890.40

191124 PAYROLL ACCOUNT 11/14 Grant Pay 906.97 11/14/2019

906.97

Fund 11 FEDERAL/STATE GRANTS 906.97 2,890.40 3,797.37

BILLS LIST TOTALS 906.97 2,890.40 3,797.37

TOTAL FEDERAL/STATE GRANTS \$3,797.37

DEVELOPERS ESCROW BILLS

1361 64 - PELLOW, HAROLD & ASSO, INC. PO 55944 AHS-SEPT ESCROW 65.00 65.00

1362 1819 - VOGEL,CHAIT,COLLINS,SCHNEIDER, PC, PO 55952 MARTORANA-OCT
ESCROW 480.00

TOTAL 545.00

720001 CASH - DEV ESCROW - LAKELAND #515 0.00 545.00

721314 RESERVE FOR MARTORANA (4/12)GrandeVillag 480.00

721344 RESERVE AHS Invest Onsite Inspect(10/18) 65.00

TOTALS FOR DEVELOPERS ESCROW (Fund 72) 0.00 0.00 545.00 545.00

TOTAL TRUST ACCOUNT BILLS \$545.00

DOG RESERVE BILLS

8578 4231 - HEWITT, MICHELLE PO 55945 RABIES CLINIC 11/9 325.00 **325.00**

8579 62 - MGL FORMS - SYSTEMS, LLC. PO 55330 Dog/Cat License for 2020 269.00 **269.00**

210001 CASH - DOG RESERVE - LAKELAND #493 0.00 594.00

211200 RESERVE FOR ANIMAL CONTROL 594.00

TOTAL DOG RESERVE BILLS \$ 594.00

TRUST ACCOUNT BILLS

3920 230 - HAYEK'S MARKET INC. PO 55738 FALL FESTIVAL COSTUME CONTEST 10/13 **25.00**

3921 4189 - MARTZ GROUP PO 55609 BUS CHARTER 11/24/19 Radio City Chr 983.00 **983.00**

3922 64 - PELLOW, HAROLD & ASSO, INC. PO 55930 RPM-SEPT ESCROW 130.00

PO 55940 KWESELAIT-SEPT ESCROW 130.00

PO 55948 KWESELAIT-SEPT ESCROW 49.85

PO 55950 NOUVELLE-SEPT ESCROW 552.50

PO 55951 WB WILLIAMS-SEPT ESCROW 65.00 **927.35**

3923 1819 - **VOGEL,CHAIT,COLLINS,SCHNEIDER, PC**, PO 55949 KWESELAIT -OCT ESCROW 255.00

PO 55953 BROOKSIDE-OCT ESCROW 120.00

PO 55954 N COVENANT REF CHURCH-OCT ESCROW 15.00 **390.00**

TOTAL 2,325.35

710001 CASH - TRUST - LAKELAND #469 0.00 2,325.35

711208 RES RECREATION (ALL) 1,008.00

711440 ENGINEER REVIEW FEES 1,317.35

197123 PAYROLL ACCOUNT 11/14 Trust Pay 8,797.50 11/14/2019

3919 Treasurer, Town of Newton PO# 55889 Radio City Trip - Tip for bus driv 50.00
8,847.50

TOTAL TRUST BILLS \$11,172.85

The Clerk presented a Junior Fireman membership application from Mahmoud Ezat, 316 Rt. 94, Newton, NJ, into the Newton Fire Department.

A motion was made by Mr. Schlaffer to approve the revised **COMBINED ACTION RESOLUTIONS**, seconded by Mr. Dickson and roll call resulted as follows:

| | | | |
|--------------------|----------------|---------------|-----|
| Mr. Dickson | Yes | Mrs. Diglio | Yes |
| Deputy Mayor Flynn | Yes | Mr. Schlaffer | Yes |
| | Mayor Le Frois | Yes | |

RESOLUTION #237-2019

AUTHORIZE THE EMPLOYMENT AGREEMENT OF THOMAS S. RUSSO, JR. AS TOWN MANAGER

WHEREAS, the Town of Newton and Thomas S. Russo, Jr. desire to continue the employment of Thomas S. Russo, Jr. as Town Manager for the Town of Newton; and

WHEREAS, the Town of Newton has prepared a written Employment Agreement effective December 1, 2019 through December 31, 2023, which has been reviewed and accepted by Thomas S. Russo, Jr.;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the Mayor and Municipal Clerk are hereby authorized to execute said Employment Agreement dated November 25, 2019, with Thomas S. Russo, Jr. as Town Manager, on behalf of the Town of Newton, with said Agreement being attached to and made part of this Resolution.

Deputy Mayor Flynn defended Mr. Russo and the job he has done as Town Manager in the Town of Newton. I am in full support of Mr. Russo and the contract the Council has offered to him.

Councilwoman Diglio also supports Mr. Russo and thanked him for always listening.

Councilman Schlaffer advised the public that all aspects and concerns were discussed during his contract negotiations. He noted the negotiations with Mr. Russo's

contract were fair and even more favorable to the Town. It was a great example of the working relationship between Tom and the Town Council.

Councilman Dickson noted long discussions were held regarding Mr. Russo's contract. It was a long process and he supports the current contract.

Mayor Le Frois defended the negotiation process and outlined several current redevelopment projects which are in progress and being worked on by Mr. Russo and his staff. She is in full support of Mr. Russo serving as our Town Manager.

After a brief discussion on **RESOLUTION #237-2019**, upon motion of Deputy Mayor Flynn, seconded by Mr. Schlaffer and roll call resulted as follows:

| | | | |
|--------------------|----------------|---------------|-----|
| Mr. Dickson | Yes | Mrs. Diglio | Yes |
| Deputy Mayor Flynn | Yes | Mr. Schlaffer | Yes |
| | Mayor Le Frois | Yes | |

RESOLUTION #239-2019

PERFORMANCE BASED BONUS FOR THOMAS S. RUSSO, JR.

WHEREAS, Thomas S. Russo, Jr., is employed as the Town Manager of the Town of Newton; and

WHEREAS, the Newton Town Council has reviewed the performance of Mr. Russo as Town Manager, and has decided to award a bonus based upon his performance in 2019;

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Newton authorizes a non-pensionable, performance-based bonus, to Mr. Russo in the net amount of \$3,500.00 payable December 1, 2019.

Councilman Dickson questioned Resolution #239-2019 which was addressed by Mayor Le Frois.

After a brief discussion on **RESOLUTION #239-2019**, upon motion of Mr. Schlaffer, seconded by Deputy Mayor Flynn and roll call resulted as follows:

| | | | |
|--------------------|----------------|---------------|-----|
| Mr. Dickson | No | Mrs. Diglio | Yes |
| Deputy Mayor Flynn | Yes | Mr. Schlaffer | Yes |
| | Mayor Le Frois | Yes | |

DISCUSSION - None.

OPEN TO THE PUBLIC

Mayor Le Frois opened the meeting to the public.

Colin Abramson, Giancarlo Lane, Newton, was moved by Mr. Russo's emotions and believes it stands for "courage, strength, humility, and honesty". He commended Tom as a person and is glad he is a part of this community.

November 25, 2019

Margaret Baldini, Barry Lane, commended the Council for the elimination of the Town vehicle. She is sorry for Mr. Russo's personnel challenges but still feels the public should be treated better.

Hunter Gallo, Old Foundry Road, Stillwater, noted his disappointment with the community and supports Mr. Russo as Town Manager.

Maureen Snellen, Plainfield Avenue, feels the Town could evaluate other candidates for Town Manager and believes it would not be a huge expense.

John Daly, 57 Trinity Street, addressed the Council and advised he received the Newton newsletter which promotes using local businesses and he has been a local business owner for 30 years with several businesses in Town and noted the Town does not utilize any of his businesses (i.e. Paint store and Print shop). He also noted he is a teacher at Kittatinny High School and indicated his school has plenty of space where Newton has limited space and asked Council if shared services may be an option.

Councilman Dickson indicated he would bring his school concerns to the Newton Board of Education serving as the liaison to the Town Council.

John-Paul Couce, Captain of NFAS, 68 Sussex Street, thanked the Town Manager and Town Council for approving Resolution #229-2019, authorizing the transfer of ownership of the ambulance from the Town of Newton to the Newton First Aid Squad.

There being no one else from the public to be heard, Mayor Le Frois closed the meeting to the public.

COUNCIL & MANAGER COMMENTS

Mr. Russo read from a prepared statement: "I want to thank the Town Council for their support and vote of confidence.

I also want to express gratitude to the residents, business owners, visitors, staff, professionals, and volunteers for their kind words all these years.

We have many accomplishments to be proud of, and more work to be done, as we continue to move Newton forward. As the County Seat, we have a responsibility to be wise with tax dollars, smart with development opportunities, and respectful of the opinions of others. We can disagree without being disagreeable, strive for excellence over perfection, and be thankful we have a community of great people to serve.

I am fortunate to be here and consider it a blessing to be the Town Manager of Newton for another four (4) years.

Finally, I pray the blessings of love, peace, hope, and joy to everyone this Thanksgiving and coming holiday season. God bless the Town of Newton. Thank you."

Councilman Dickson wished everyone a Happy Thanksgiving.

Councilwoman Diglio wished everyone a Happy Thanksgiving and hopes to see all at the Holiday Parade on Saturday, November 30, 2019 beginning at 10:00am.

November 25, 2019

Mayor Le Frois thanked her colleagues for their due diligence during the Town Manager negotiation process.

EXECUTIVE SESSION

Upon motion of Mrs. Diglio, seconded by Mr. Dickson and unanimously carried, Council entered Executive Session at 8:40 pm.

Upon motion of Deputy Mayor Flynn seconded by Mr. Dickson and unanimously carried, Council left Executive Session at 9:25 pm.

There being no further business to be conducted, upon motion of Deputy Mayor Flynn, seconded by Mr. Dickson and unanimously carried, the regular meeting was adjourned at 9:26 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine A. Read".

Lorraine A. Read, RMC
Municipal Clerk